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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

BOMBARDIER CAPITAL INC.

Plaintiff,

v.

ESTATE OF ARTHUR G. KEARNS,
deceased, individually and doing business as
JACK BALL MOBILE HOME SALES AND
SERVICE, ELLEN L. KEARNS, AND JACK
BALL MOBILE HOME SALES AND
SERVICE,

Defendants.


:
: CASE NO. CA05-127E
:
: Honorable Sean J. McLaughlin
:
: CIVIL ACTION

**STIPULATION OF DISMISSAL WITH PREJUDICE AND WITHOUT
COSTS OR ATTORNEYS' FEES**

WHEREAS, the Plaintiff, Bombardier Capital Inc. and Defendants Estate of Arthur G. Kearns, deceased, individually and doing business as Jack Ball Mobile Home Sales and Service, Ellen L. Kearns, and Jack Ball Mobile Home Sales and Service, have amicably resolved all disputes raised in the above captioned matter; and

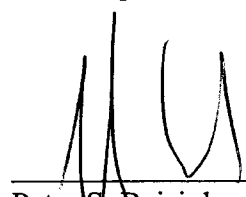
NOW, THEREFORE, the Plaintiff, Bombardier Capital Inc., and Defendants, Estate of Arthur G. Kearns, deceased, individually and doing business as Jack Ball Mobile Home Sales and Service, Ellen L. Kearns, and Jack Ball Mobile Home Sales and Service., do hereby stipulate, agree, consent, direct, and authorize the Clerk of the United States District Court, Western District of Pennsylvania to dismiss the Verified Complaint for Temporary Restraints, Replevin, and Money Damages, with prejudice and without costs or attorneys' fees, in the above captioned matter.

Steadman Law Office
Attorneys for Defendants, Estate of Arthur
G. Kearns, deceased, individually and doing
business as Jack Ball Mobile Home Sales

By: 
James R. Steadman, Esq.

Dated: July 13, 2005

Capehart & Scatchard, P.A.
Attorneys for Plaintiff,
Bombardier Capital Inc.

By: 
Peter S. Bejsiuk, esq.

Dated: July 19, 2005



Peter S. Bejsiuk
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July 27, 2005

Clerk
U.S. District Court
17 South Park Row
Erie, PA 16501

RE: Bombardier Capital Inc. v. Estate of Arthur G. Kearns, deceased, individually and doing business as Jack Ball Mobile Home Sales and Service, Ellen L. Kearns, and Jack Ball Mobile Home Sales and Service
Civil Action/Case No. 05-127E
Our File No. 1018.05896

Dear Clerk:

Enclosed please find an original and one copy of Stipulation of Dismissal with Prejudice and Without Costs or Attorneys' Fees in the above captioned matter. I have also enclosed a copy on disk. Please file the Stipulation and return a "filed" copy in the return envelope provided. Thank you.

Very truly yours,

CAPEHART & SCATCHARD, P.A.



Peter S. Bejsiuk

Encl.

cc: James R. Steadman, Esq. (w/encl.)

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